



# CITY of CYPRESS

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August 16, 2016

The Honorable Charles Margines  
Presiding Judge of the Superior Court  
700 Civic Center Drive, West  
Santa Ana, CA 92701

Subject: Response to 2015-2016 Orange County Grand Jury Report, "Drones: Know Before you Fly."

Dear Judge Margines:

The City of Cypress has reviewed the Orange County Grand Jury Report entitled, "Drones: Know Before You Fly." As required by California Penal Code Sections 933 and 933.05, the City is responding to the findings and recommendations included within the report. Each of the finding and recommendations is listed below in italics, followed by the City's response.

## **Findings**

*F1: Recreational drones have greatly increased in number since December 2015 and it is probable their unregulated use will pose significant threats to public safety and privacy in Orange County cities and unincorporated areas.*

**Response:** Based on the information provided in this report, the City of Cypress agrees in part and disagrees in part. Anecdotally, the City agrees that the usage of recreational drones has increased over time. As to the Grand Jury's characterization of recreational drone usage as posing a significant threat, the City disagrees and believes any threat to public safety is minimal and manageable at this time. The City's Police Department has not received complaints or reports of drones posing significant threats to public safety in Cypress. Of course, the City cannot speak to the experience of other cities or the unincorporated areas of our County.

*F2: With the Exception of the recent Federal Aviation Administration registration rule, recreational drone owners are largely self-policed, which leads to a wide range of behavior.*

**Response:** The City of Cypress agrees with this finding.

*F3: Most of the cities and unincorporated areas of the County of Orange do not have a drone ordinance, nor do they have any immediate plans to enact an ordinance in the near future.*

**Mariellen Yarc, Mayor**

**Paulo M. Morales, Mayor Pro Tem**

**Stacy Berry, Council Member**

**Rob Johnson, Council Member**

**Jon E. Peat, Council Member**

Response: The City of Cypress does not disagree with this finding; however, the City cannot speak towards the ordinances or plans to enact such ordinances in other cities.

*F4: Most of the cities provide no educational programs for public awareness of the safety issues connected to recreational drones.*

Response: The City of Cypress does not disagree with this finding; however the City cannot speak towards the educational programs of other cities.

*F5: Some Orange County cities, despite recognizing potential issues with drones, are awaiting drone-related legislative action or other guidance by the State of California or FAA before enacting local ordinances.*

Response: Based on the information provided, the City of Cypress disagrees with this finding. The data provided in the report is aggregated such that it cannot be determined if the same cities recognized potential issues with drones and responded that they are awaiting drone-related legislation or guidance from the State of California or FAA.

*F6: The FAA-required registration of recreational drones provides a useful tool for local enforcement of drone ordinances.*

Response: The City of Cypress agrees with this finding.

*F7: Orange County cities have not established a procedure for reporting drone incidents, which results in under-reporting of drone safety and privacy events.*

Response: The City of Cypress partially agrees with this finding. According to the research provided in the report, most Orange County cities do not have a procedure for reporting drone incidents. However, the only discussion of under-reporting in the report is expressed in terms of the opinion of the Orange County Sheriff Department Bomb Squad on page 15. In addition, the data provided is aggregated such that it is insufficient to characterize this relatively new trend as either underreported, reported to the degree which represents an accurate picture of drone issues, or exaggerated.

## **Recommendations**

*R1: Each City Council should direct its City Attorney to provide a report of the city's police department and City Council on existing laws that can be applied to the use of recreational drones in the city's jurisdiction by December 30, 2016.*

Response: The City of Cypress will not implement this recommendation because it is not warranted. As previously mentioned, additional recreational drone legislation is not necessary at this time given the nature and scope of recreational drone usage in Cypress.

*R2: Each City should adopt a recreational drone ownership and operation ordinance, with regulations similar to those found in Los Angeles City ordinance #183912, by March 31, 2017, to the extent not preempted or superseded by Federal law or Federal regulations.*



Response: The City of Cypress will not implement this recommendation because it is not warranted. The regulation of drones should be left to, or directed by, aviation experts. The City believes a uniform set of rules would most effectively address drone ownership and operation issues to mitigate any threats to public safety. Additionally, the regulations recommended by the Grand Jury report do not address the most frequent concern reported in relation to drones, which is privacy.

*R3: Each City should inform its citizens about laws and ordinances that apply to recreational drone operators through print media, city-related websites, social media sites, and/or public forums by March 31, 2017.*

Response: The City of Cypress will implement this recommendation by periodically sharing information on the city's social media sites from the FAA's Know Before You Fly website and social media sites.

*R4: Each City should establish and publish on its website a point of contact for drone-related citizen complaints by December 30, 2016.*

Response: The City of Cypress will not implement this recommendation. The City believes the current method to receive drone-related complaints is adequate; creating another point of contact outside the Police Department is burdensome and redundant.

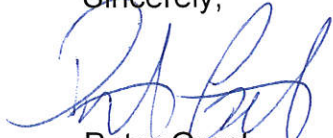
*R5: Each City should post FAA drone ownership and operation educational links on city-related websites, newsletters, and fliers by December 30, 2016.*

Response: The City of Cypress will implement this recommendation by periodically posting FAA guidelines for operating recreational drones on its social media sites.

*R9: The County and each City should formally gather data on recreational drone incidents within their jurisdictions and review these data annually and report results publicly. The first analysis and publications should occur within 1 year of the publication of this report.*

Response: The City of Cypress will not implement this recommendation because it is not warranted nor is it reasonable. The City maintains open and efficient procedures in response to requests for data by the public. Any inquiry related to recreational drone incidents would be provided under the normal course and scope of business.

Sincerely,



Peter Grant  
City Manager